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more frequently in the courts, and it is believed that the desire of everybody will be that the law may carry forward the tendency of the decision in *Schuyler v. Curtis* rather than adopt the suggestion in *Corliss v. Walker* that the distinction between public and private character is unimportant.

The attention of those who are interested in the matter is directed to the able article by Messrs. Warren and Brandeis, entitled, "The Right to Privacy," in 4 HARVARD LAW REVIEW, p. 193. It is, so far as is known, the only scientific discussion of the subject, and it contains an interesting plea for the protection of "the right to be let alone," as Judge Cooley calls privacy, and also a collection of the few authorities that throw any light upon the subject.

CHARLES INGALLS GIDDINGS, a former editor of this REVIEW, was drowned in Lake Winnipiseogee, N. H., Aug. 17, 1893. He had taken several poor boys from Boston to New Hampshire for a vacation, and lost his life in an heroic effort to save one of the lads who had fallen overboard from a steamer. Mr. Giddings received the Harvard A. B. degree in 1887, and graduated at the Law School *cum laude* in 1890. In addition to the editorial work done during his course, he contributed to the REVIEW for January, 1892, an article on "Restrictions upon the use of Land" (5 H. L. R. 274). Mr. Giddings is understood to have made an excellent beginning in legal practice. Some idea of his professional standing may be gathered from the fact that he was selected to furnish for the American and English Encyclopædia of Law an article on the important and difficult topic, *Ultra Vires*. Of his character we need only say that those who knew him well, regard his death as a fitting climax to a pure and unselfish life.

## RECENT CASES.

AGENCY — BROKERS — RELATIONS OF THEIR CUSTOMERS TO THEM. — A customer and a broker buying and selling stocks upon margins stand in the relation of pledgor and pledgee, and the fact that the broker has an implied right of repledging stocks does not change the relation. *Skipp et. al v. Stoddard*, 26 Atl. Rep. 874 (Conn.).

This case shows the common doctrine. See *Markham v. Jaudon*, 41 N. Y. 235, which is perhaps the leading case on the subject; and also Jones on Pledges, § 495. The case of *Covell v. Loud*, 135 Mass. 41, is *contra*, the court treating the dealing between the parties as an executory agreement, with power in broker to sell without notice on default by customer.

CONSTITUTIONAL LAW — GEARY ACT — CHINESE EXCLUSION. — An Act of Congress, after continuing the laws then in force for the exclusion of Chinese from the United States, provides for the removal of Chinese not lawfully within this country, requiring that all Chinese laborers entitled to remain in the United States shall obtain certificates of residence from persons authorized by the act to give them, under penalty of removal on failure to do so within one year. On an appeal from the Circuit Court which raised the question of the constitutionality of the Act, the court *held*, that the Act was constitutional. That inasmuch as Chinese laborers cannot under the naturalization laws become citizens, they remain subject to the power of Congress to order their expulsion. That the order of deportation is not a punishment, "but a method of enforcing the return to his own country of an alien who has not complied with the conditions upon the performance of which the government of the nation has determined that his continuing to reside here shall depend," consequently that part of the Constitution securing the right of trial by jury and prohibiting unreasonable searches and punishments has no application. *Fong Yue Ting v. United States*, 13 Sup Ct Rep. 1016. Fuller, C. J., and Field and Brewer, JJ., *dissenting*.